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18  
19 UNITED STATES DISTRICT COURT  
20  
21 NORTHERN DISTRICT OF CALIFORNIA

22 JAMES WILSON, et al.

23 Plaintiffs,

24 vs.

25 CITY AND COUNTY OF SAN  
FRANCISCO,

26 Defendant.

27 Case No.: 3:07-cv-01016 PJH

28 **JOINT STATUS REPORT  
REGARDING FINALIZATION OF  
SETTLEMENT AND MOTION FOR  
PRELIMINARY APPROVAL**

Place: Courtroom 3, 3<sup>rd</sup> Floor, Oakland,  
California

Judge: Hon. Phyllis J. Hamilton

The parties to the above-entitled action jointly submit this status report.

## I. STATUS OF SETTLEMENT NEGOTIATIONS

The Parties reached a tentative settlement and have been in the process of preparing a settlement agreement commemorating the terms of the settlement. As this case is a collective action under the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201, *et seq.*, the parties anticipate filing a stipulated motion for approval of the settlement. The parties have motion papers ready to be filed. However, the Parties are still addressing the terms of the settlement agreement and release.

The Parties have reached an *impasse* on certain terms and language of the proposed settlement agreement and have a phone conference scheduled with United States District Court Judge Edward Chen (formerly the settlement magistrate on the case) this Friday July 1, 2011 at 3:00 p.m. to help the Parties deal with the impasse.

## II. SCHEDULE FOR APPROVING THE SETTLEMENT

In light of the forgoing, the parties request that they be permitted to file a schedule for approving the settlement or proceeding with litigation (if the impasse cannot be resolved,) no later than July 15, 2011.

DATED: June 30, 2011

DENNIS J. HERRERA  
City Attorney  
JONATHAN ROLNICK,  
Deputy City Attorney

By: /s/  
JONATHAN ROLNICK  
Attorneys for Defendant

DATED: June 30, 2011

DICKSON LEVY VINICK BURRELL HYAMS, LLP

By: \_\_\_\_\_ /s/  
LESLIE F. LEVY  
Attorneys for Plaintiffs

1  
IT IS SO ORDERED:

2 That the status conference is hereby vacated. On or before July 15, 2011,  
3 the parties shall either submit a stipulated motion for approval of the settlement or advise the  
4 Court regarding the status of the settlement.

5  
6 Dated: 7/5/11

